REMARKS

Claims 1, 2, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, 26, 27, 28, 29, 30 and 31 are in this application.

Claim 1 has been amended to incorporate the subject matter of claim 3. Claim 2 has been amended to incorporate the subject matter of claim 4. Claims 27 and 28 have been amended to include reference to the claims remaining in this application after the amendment of claims 1 and 2 and the cancellation of claims 3, 4, 7, 10, 13, 16, 19, 22 and 25.

The Examiner has issued a restriction requirement requiring restriction to what the Examiner identifies as 5 different inventions:

I. Claims 1 and 3, drawn to a method of treatment of a health condition associated with modulation of immunity which method comprises administering a standardized herbal extract prepared from the plant *Tinospora cordifolia*.

II. Claims 2, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25 and 27-28, drawn to a method of treatment of a health condition associated with modulation of immunity which method comprises administering a standardized herbal extract prepared from the plant *Tinospora cordifolia* in conjunction with another treatment for the health condition.

III. Claims 5, 8, 11, 14, 17, 20, 23, and 26-28, drawn to a method of treatment of a health condition associated with alteration or modulation of immunity which method comprises administering a standardized herbal extract prepared from the plant *Tinospora cordifolia* having defined immunomodulatory activity in conjunction with another therapy for the health condition.

IV. Claim 29, drawn to a process for preparation of a standardized extract of *Tinospora cordifolia* which comprises treating plant material with water at an elevated temperature, filtering and concentrating.

V. Claims 30-31, drawn to an extract of *Tinospora cordifolia*.

Applicants respectfully traverse this restriction requirement.

The invention identified as Groups I, II, III and V should be examined in this application. If the claims of Group V are novel and nonobvious then the use of the novel and nonobvious extract to treat health conditions is novel and nonobvious and all of the claims for treatment of the health conditions should be examined together.

In the event that the Examiner disagrees with the above the invention of Group V is provisionally elected.

Applicants preserve all rights to file one or more divisional applications directed to the non-elected claims.

Applicants submit that the present application is in condition for allowance and favorable consideration is respectfully requested.

Respectfully submitted

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1. (Amended) A method of treatment of a health condition associated with modulation of immunity which method comprises administering a standardized herbal extract prepared from the plant *Tinospora cordifolia* wherein the herbal extract is standardized on the basis of its immunomodulatory activity as measured by its potential to increase phagocytosis by polymorphonuclear leukocytes by a value of not less than 20% over a base value, and on the basis of its constituents, one of which has a mass spectrometric M+ value of m/z 480 mass units and is present to an extent of not less than 35% of the two identified peak areas of the liquid chromatography mass spectrometry single ion recording (LC-MS SIR) chromatogram, and the second of which has a mass spectrometric M+ value of m/z 341 mass units and is present to an extent of not more than 65% of the two identified peak areas of the LC-MS SIR chromatogram of the methanol soluble content of said extract.

2. (Amended) A method of treatment of a health condition associated with modulation of immunity which method comprises administering a standardized herbal extract prepared from the plant *Tinospora cordifolia* in conjunction with another treatment for the health condition wherein the herbal extract is standardized on the basis of its immunomodulatory activity as measured by its potential to increase phagocytosis by polymorphonuclear leukocytes by a value of not less than 20% over a base value, and on the basis of its constituents, one of which has a mass spectrometric M+ value of m/z 480 mass units and is present to an extent of not less than 35% of the two identified peak areas of the liquid chromatography mass spectrometry single ion recording (LC-MS SIR) chroma-togram, and the second of which has a mass spectrometric M+ value of m/z 341 mass units and is present to an extent of not more than 65% of the two identified peak areas of the LC-MS SIR chromatogram of the methanol soluble content of said extract.

27. (Amended) The method according to according to any one of claims [1 to 26] 1, 2, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24 or 26, wherein the daily dosage is 1-50 mg/kg of body weight.

28. (Amended) The method according to any one of claims [1 to 26] 1, 2, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24 or 26, wherein the daily dosage is from 25mg to 1500 mg.